

**LODI CITY COUNCIL
SPECIAL CITY COUNCIL MEETING
CARNEGIE FORUM, 305 WEST PINE STREET
WEDNESDAY, FEBRUARY 11, 2009**

A. Roll call

Mayor Hansen called the Special Joint meeting of the City Council and Planning Commission to order at 6:30 p.m.

Present: Council Member Hitchcock, Council Member Johnson, Mayor Pro Tempore Katzakian, Council Member Mounce, Mayor Hansen, Planning Commission Vice Chair Cummins, Planning Commissioner Heinitz, Planning Commissioner Hennecke, Planning Commissioner Kirsten, Planning Commissioner Olson, and Planning Commission Chair Kiser

Absent: Planning Commissioner Mattheis

Also Present: City Manager King, City Attorney Schwabauer, and City Clerk Johl

B. Public Hearings

B-1 Public Hearing to Receive Report and Recommendation on the Preferred General Plan Alternative (CD)

Notice thereof having been published according to law, an affidavit of which publication is on file in the office of the City Clerk, Mayor Hansen called for the public hearing to receive report and recommendation on the Preferred General Plan Alternative.

City Manager King briefly introduced the subject matter of the Lodi General Plan update.

Interim Community Development Director Rad Bartlam introduced the consultant for the General Plan Amendment, Rajeev Bhatia.

Consultant Rajeev Bhatia of Dyett and Bhatia provided a PowerPoint presentation regarding the Lodi General Plan Update. Specific topics of discussion included the General Plan update process, sketch plans for public outreach, preferred plan, key concepts, land use framework, build out, and the next steps. Other topics of discussion included existing conditions and trends, planning issues, Planning Commission open house, outreach to community groups, compact urban form, preservation of existing neighborhoods, ag/cluster study area along the southern boundary, mixed-use centers and corridors and downtown, employment-focused development in the southeast, street connectivity and urban design, enhanced pedestrian and bicycle connections, recreation path along the irrigation canal row, phased future development, Mokelumne River as the City's northern edge, build out for population and housing and jobs, jobs and employed residents, the next steps, the preferred plan versus the sketch plans, and population growth projections.

In response to Council Member Hitchcock, Mr. Bhatia stated one of the four position papers considered economic assessment, looked at market conditions, and projected out the needs for commercial users including hotels. Mr. Bhatia stated local commercial needs are easier to project than regional commercial needs and the map does not indicate that the growth will actually happen but allows flexibility to consider the possibility. Mr. Bartlam stated the new commercial areas shown in red on the new map are shown as purple in the existing General Plan.

In response to Council Member Hitchcock, Mr. Bartlam stated the horizon for assessing regional needs is more likely on a 40-year basis rather than a 20-year basis and over the years jurisdictions have been taking advantage of planning around their transportation assets.

In response to Council Member Hitchcock, Mr. Bartlam stated where and how commercial growth happens will be market driven; although, it is difficult to assess regional commercial needs versus local needs.

In response to Council Member Hitchcock, Mr. Bartlam stated he is comfortable that the proposed concept for retail locations in communities will not create a blighted situation along Kettleman Lane because there is a suggestion to implement policy to deal with the specific corridors to revitalize them and make them more useful.

In response to Mayor Hansen, Mr. Bartlam stated retailers will do zip code analysis at checkout to assess where their business is coming from in connection with regional needs assessment. Mr. Hansen and Mr. Bartlam discussed the Lodi Memorial Hospital expansion as a region based project.

In response to Council Member Hitchcock, Mr. King confirmed that the policies will go to the Planning Commission for consideration as well. Mr. King stated what is being presented is the base with which to work and the policies, programs, and other pieces will follow.

In response to Mayor Hansen, Mr. Bartlam stated that, with respect to mixed-use and future expansions, neighborhoods are focusing on anchors such as schools and commercial, rather than only subdivisions. Mr. Bartlam stated for the anchors to work in the neighborhoods there must be pedestrian friendly accessibility to the services.

In response to Mayor Hansen, Mr. Bartlam stated that, while a neighborhood may not be as dense as it is in larger cities such as San Francisco, the general idea of a combination of a well-located clustering, such as an office, pizza parlor, and gas station, would be the same.

In response to Mayor Hansen, Mr. Bartlam stated there was no specific push back received to date on the possible recreation path along the canal, which may have been because people were not focused in on that particular piece.

In response to Mayor Hansen, Mr. Bartlam stated the land mass for the urban reserve area is approximately 400 additional acres.

In response to Council Member Johnson, Mr. Bartlam stated part of increasing the pedestrian levels is the convenience of the location of the services. Mr. Bartlam discussed two centers along Turner Road and the difficulty associated with crossing the street to access one while the other sits on a corner with good accessibility from properties adjacent to and across the street.

In response to Council Member Johnson, Mr. Bartlam stated a neighborhood center should not necessarily be located on a heavy traffic street because that location will already receive the vehicular traffic.

In response to Council Member Johnson, Mr. Bartlam stated he will bring back information regarding where this concept has been developed in recent years.

In response to Council Member Johnson, Mr. Bartlam stated the pattern of industrial uses is not consistent enough to go beyond Highway 12 at this point.

In response to Council Member Johnson, Mr. Bartlam stated Local Agency Formation Commission (LAFCO) justification issues are different and the projections are more based on the local realistic possibilities and expectations.

In response to Council Member Hitchcock, Mr. Bartlam stated that, while the laws are not mandating consistency with emissions regulations and the like, there is encouragement for consistency through ideas such as mixed-uses. Mr. King stated several agencies, including the League of California Cities and Institute for Local Government, are participating in a movement for pedestrian friendly communities as a part of the healthy cities initiative.

In response to Council Member Mounce, Mr. Bartlam stated that, in order to see better integration on the east side of town, it is important to have better economic incentives, such as density based incentives, to have the multi-family properties improve themselves.

In response to Council Member Mounce, Mr. Bartlam stated the difference in density with respect to the existing plan and new proposal is that the units may be from two to three in number instead of nine to ten. Mr. Bartlam stated the biggest difference would be magnitude and design.

In response to Council Member Hitchcock, Mr. Bartlam stated that, while the General Plan is not built based on redevelopment, there is an opportunity for benefit through redevelopment assisted programs.

In response to Council Member Johnson, Mr. Bartlam stated he does not believe that there is any reality for improvement based on providing a designation alone, as the improvements will come over time with some level of approved density and smaller conversions.

In response to Council Member Mounce, Mr. Bartlam stated Code Enforcement alone is not in itself an effective tool to shut down run down complexes; although, Code Enforcement coupled with redevelopment or other incentive programs may work.

In response to Council Member Mounce, Mr. Bartlam stated there may be some good examples of properties that were improved by Code Enforcement that were a matter of good circumstance but it is not necessarily successful as a continuing program on its own.

In response to Council Member Hitchcock, members of the Planning Commission provided comments about the General Plan. Commissioner Kirsten stated he felt it was the Commission's role to answer any specific questions the City Council had regarding the General Plan amendment and the process to date. Mr. Kirsten stated the industrial use came as a result of a compromise through a desire to have jobs and attract new businesses while retaining some flexibility for ranges and the proposed plan incorporates that concept. Commissioner Olson stated it is important to have flexibility for business growth and location when looking at a longer horizon. Commissioner Hennecke stated that, even though the City has not traditionally experienced the 2% growth, it is important to responsibly plan for the future just in case. Vice Chair Cummins stated the Commission looked at in depth the opportunities for planning for businesses that would create jobs and there was discussion of the proposed Delta College plans; although, that became moot at a later time. Chair Kiser stated the Commission looked at opportunities for salaries and jobs, arterials for bringing in product to the City, and mixed-use centers to reduce the carbon footprint. Commissioner Heinritz stated walking communities are a part of the past and the future and the Commission considered the opportunity for businesses within walking communities and provided the Tokay Street development as an example.

Mayor Hansen opened the floor for comments by the public.

Brett Jolley, representing Herum and Crabtree and the Armstrong Road property owners, spoke regarding his clients' concerns that the area between Harney Lane and Armstrong Road is being designated as the Armstrong Road study area and the current designation of PRR is being removed. Mr. Jolley urged the Council to maintain both designations simultaneously because the designations are not mutually exclusive. Mr. Jolley also discussed the benefit of not

expanding urbanization but planning for the future, maintaining the planning influence over the area, and honoring the intent of an infrastructure improvement agreement from 1992.

In response to Mayor Hansen, Mr. Jolley stated the issue was raised with the Planning Commission and the Planning Commission did not include it in the recommendation.

In response to Mayor Hansen, Mr. Bartlam stated the Planning Commission did take into consideration the PRR designation and decided to go ahead and study it as an alternative in the Environmental Impact Report (EIR) in order to maintain the flexibility to make a later designation. Mr. Bartlam stated designating something specific may send a mixed message.

In response to Council Member Johnson, Mr. Jolley stated he is not sure if there is a violation of the 1992 agreement. Mr. Jolley stated his clients agreed to pay money for infrastructure based on future growth, the City acknowledged it had a beneficial interest in that payment to service that area with future development, the agreement was based on the PRR designation in place at the time, and the status quo of that designation is preferred.

In response to Council Member Hitchcock, Mr. Bartlam stated the agreement has service boundaries currently consistent with the designations and the Harney Lane development. Chair Kiser confirmed that the matter can be studied and revisited as part of the EIR.

In response to Commissioner Kirsten, Mr. Jolley stated that, by the City not giving the area a specific designation of PRR, it may signal that the City is surrendering some of its control over that area regardless of whether it is the intent or not.

In response to Mayor Pro Tempore Katzakian, Mr. Bartlam stated the City has flexibility to study the area and as a part of that study can also review the PRR designation and then make a decision after the EIR is complete.

In response to Council Member Mounce, Mr. Bartlam stated the Council can technically study the clustering and AL-5 if it chooses as an alternative in the EIR and implement the same if things fall through with the County.

In response to Vice Chair Cummins, Mr. Bartlam stated during the City's lifetime the General Plan has only been amended a few times. Mr. Bartlam stated as a practical matter the General Plan can be amended up to four times per year.

In response to Council Member Hitchcock, Mr. Bartlam stated that, technically if things fell through with the County, the City could do a similar designation with clustered properties and annex the area into the City. Mr. Bartlam stated he is not sure of the LAFCO response to the same. Mr. Bhatia stated that type of an annexation generally has strong ties to service capabilities in the eyes of LAFCO. Mr. Bartlam stated what really gives him pause for LAFCO purposes is the area between Davis Road and I-5 and the Stockton General Plan.

In response to Commissioner Hennecke, Mr. Bartlam stated that, with respect to showing an area of interest and not really having the ability to do anything in the area immediately, he does not want the General Plan amendment process to be held up as a result of this matter.

In response to Council Member Mounce, Mr. Bartlam stated concerns about encouraging clustering and providing services are valid. Mr. Bartlam stated LAFCO is not eager to see areas in a specific plan unless they see services and financing connected with it and there would be pros and cons associated with the City creating and annexing the AL-5 proposed area.

In response to Chair Kiser, Mr. Jolley stated his clients are hopeful that the AL-5 cluster

designation will go through with the County, although they would like to preserve the PRR current designation for the area just in case it does not go through.

Jerry Fry stated he wanted to clarify that the property owners are working diligently with the County, although there is no guarantee, and if the PRR is retracted that will lock the zoning into agricultural and decrease property values.

In response to Council Member Hitchcock, Mr. Fry stated that, if talks fall through with the County, there would be a concern to the City annexing because of the services and he is not sure if the property owners would be amiable to that.

In response to Council Member Hitchcock, Mr. Fry stated annexing and AL-5 designation may not work with the property owners because of trust issues between the City and the property owners. Mr. Fry requested an overlay of the PRR designation and the study area be included in the proposed General Plan amendment.

Ann Cerney, representing Citizens for Open Government, stated she was present to register her appearance and state for the record that her previously stated position on the matter remains unchanged.

Pat Patrick, representing the Lodi Chamber of Commerce, spoke in regard to including more references illustrating Lodi as a wine tourism destination, drawing in wineries outside of the City limits in all directions to emphasize the destination, providing LAFCO with an overview of the City's area of interest based on its vision, the plan size based on the City's size, and developments stopping mid-way because of the economy downturn.

Discussion ensued between Council Member Hitchcock and Mr. Patrick regarding what is not needed as shown in the phased future development including the dotted areas and specifically zoned areas and planning responsibly by showing the 2% growth based on the City's ordinance.

In response to Council Member Hitchcock, Mr. Bartlam stated the area of interest concept is unique to San Joaquin LAFCO and not accepted anywhere else in the State. Mr. Bartlam stated it is his understanding that a request to show an area of interest would be taken with the General Plan amendment to LAFCO; although, it would not apply to County land use. Mr. Bartlam also emphasized the good existing relationship between the City and County whereby notices are provided by one another regularly if there is something affecting the jurisdiction. Mr. King suggested staff can agendize a presentation regarding areas of interest by LAFCO if the Council so desires.

In response to Council Member Johnson, Mr. Patrick stated he would not propose any changes to the urban reserve designation on the eastern boundary because it is a good industrial area.

Discussion ensued between Council Member Mounce and Mr. Bartlam regarding dictating which areas have the highest priority for developing in the current plan including south of Harney Lane and the western area. Mr. Bartlam stated the City's current policies will need to be reflected regardless of whether the growth happens or not.

In response to Council Member Johnson, Mr. Bartlam stated that, with respect to realistically coming close to what the plan has illustrated, no one can predict the economy and everything in color shows about 1.5% growth over the next 20 years.

A brief discussion ensued between Commissioner Hennecke and Council Member Johnson regarding the market coming back, housing conditions, and acceleration over the long term.

In response to Commissioner Heinitz, Mr. Bartlam and Mr. Schwabauer confirmed that the law and the Department of Housing and Community Development requires the General Plan to show the possibilities of growth in order to remain eligible for funding purposes.

In response to Mayor Pro Tempore Katzakian, Mr. Bartlam stated the northwest corner is not squaring up to Turner Road because of the circulation based around the Woodbridge Irrigation District canal and access. Mr. Bartlam stated the area needed to show full connectivity, which is present without the corner, and there are flood plain concerns as well.

Jane Wagner-Tyack spoke regarding her concerns about potable water, increases in water acreage, declines in groundwater, and the possible build outs relying heavily on the new treatment plant.

Lorinda Jonard spoke regarding her concerns about incorporating sustainable communities into the amendment, including housing choices, sustainable materials, use of agricultural land versus in-fill, transportation and walkability, economy and education, and maintaining the small town feel. Mr. Bartlam and Mr. King confirmed that sustainability principles are incorporated throughout the seven elements, rather than being called out as an individual element.

Jeffrey Kirst spoke regarding his concern for housing shortages in three years in the County based on a recent paper from the San Joaquin Council of Governments. Mr. Kirst stated the 2% rate was a good idea and it should be maintained and planned for in the amendment.

Ron Kelly spoke regarding his preference to see good continued growth as already planned.

Lorinda Jonard provided a few additional comments regarding water conservation, permissible parking lots, and a multi-leveling parking structure for residential uses.

In response to Mayor Hansen, Mr. Bartlam stated staff is projecting late fall for final consideration, during which time the policies and EIR will be done. Mr. Bartlam stated this baseline work is done, a preferred plan is now needed to analyze, and the draft EIR should come in late spring or mid summer.

Council Member Hitchcock made a motion, second by Council Member Mounce, to move forward with the Preferred General Plan Alternative as recommended.

VOTE:

The above motion carried by the following vote:

Ayes: Council Member Hitchcock, Council Member Johnson, Mayor Pro Tempore Katzakian, Council Member Mounce, and Mayor Hansen

Noes: None

Absent: None

C. Adjournment

There being no further business, the meeting was adjourned at 9:46 p.m.

ATTEST:

Randi Johl
City Clerk